

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

\*

vs.

\* CRIMINAL NO. MJG-99-0274

HAROLD LLOYD QUEEN

\*

\* \* \* \* \*

MEMORANDUM AND ORDER RE: RECONSIDERATION

The Court has before it Petitioner's Opposition to The United States District Judge Memorandum and Order [ECF No. 415], which is a motion for reconsideration of the Memorandum and Order issued February 5, 2018 [ECF No. 414] ("the Memorandum and Order"). The Court finds that neither a response nor a hearing is necessary.

The Memorandum and Order denied Defendant Queen's Petition for Relief Under Plain Error Pursuant to Federal Rules of Criminal Procedures [Sic] Rule 52(b) [ECF No. 411], treating the Petition as a successive motion under 28 U.S.C. § 2255 and stating that "Petitioner has filed two motions under 28 U.S.C. § 2255 [ECF Nos. 266 and 281] that have both been denied."

In the instant motion, Defendant Queen contends that this statement is erroneous and that he filed only one § 2255 motion that was denied as untimely. Even assuming that the Defendant is correct, he does not explain how the correction of the statement (and reducing the record to reflect only one prior §

2255 motion) would affect the correctness of the decision dismissing the Petition. Nor does he explain how the Petition - if not a successive § 2255 motion - could be found to be timely filed.

The Defendant also sets forth complaints about his prior counsel in regard to post-conviction matters but does not establish an action that should have been taken by counsel that would have resulted in his obtaining the relief from his sentence that he seeks.

The Court finds no reason to reconsider or change the Memorandum and Order issued February 5, 2018 [ECF No. 414].

Accordingly:

1. Petitioner's Opposition to The United States District Judge Memorandum and Order [ECF No. 415] is DENIED.

SO ORDERED, this Thursday, April 05, 2018.

/s/  
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Marvin J. Garbis  
United States District Judge